

REMARKS

Claims 1-25 are remain in the application.

Claim 1-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki (U.S. Patent No. 5,796,736) in view of Cheng (U.S. Patent No. 6,563, 798). Suzuki discloses an ATM network topology auto discovery method that automatically recognizes physical connection relationships of each ATM switch and each ATM terminal within an ATM network. Cheng discloses dynamically created service class-based routing table structures which may find application as routing tables for ATM or other computer networks. A selection of pre-computed routes optimized to a specified constraint such as delay and delay variation (e.g., as measured by CTD and DCV), or administrative weight (AW).

The Examiner has asserted in paragraph 11 on page 4 of the Office Action that "It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Shah with the teachings of Chen to include the shortest paths feature in order to optimized designated traffic (Chen, column 3 lines 39-42) since shortest path table is constructed based on the optimization traffic metric (Chen, column 3 lines 26-32). The Applicants respectfully point out that the Examiner is no longer relying on the Shah patent. Second, the Applicants respectfully point out that the Examiner is likely referring to the Cheng patent rather than a "Chen" patent. In any case, the Applicants respectfully point out that the discussion at column 2, lines 26-42 of Cheng is merely discussing undesirable effects of some conventional routing tables and

some known routing algorithms. The Applicants respectfully submit that this discussion in the Cheng patent would not have motivated one of ordinary skill in the art to modify the system of the Suzuki patent in the manner suggested by the Examiner. Further, the Applicants respectfully point out that one of ordinary skill in the art would not have been motivated to combine the Suzuki patent and the Cheng patent to render the claims of the present application obvious, except in hindsight in view of the present application. For example, as pointed out by the Examiner, Suzuki fails to disclose the creating of an all switch shortest paths table which records all the shortest paths between every switch pair on the subnet based on the port-to-port connectivity information, and computing forwarding tables for respective switches on the subnet that allow usage of multiple paths based on the shortest paths between every switch pair. However, the Applicants respectfully point out, for example, that one of ordinary skill in the art would not have been motivated to record shortest paths according to the Cheng patent between every switch pair on a subnet based on port-to-port connectivity information according to the Suzuki patent.

Regarding claims 10 and 18, the Examiner has argued that the claims are depended upon a rejected claim, and therefore, are also rejected. However, the Examiner has not asserted that any of the limitations of claims 10 and 18 are disclosed in either of the references relied upon by the Examiner. Therefore, it appears that although these claims were rejected as being depended upon a rejected claim, the Examiner considers that claims 10 and 18 would be allowable if rewritten in independent form including the limitations of any base claim and intervening claims. If

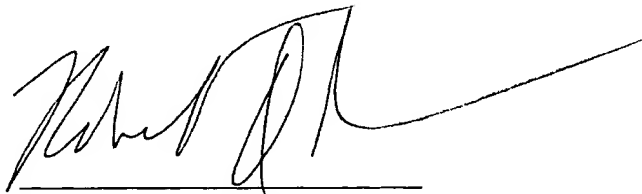
U.S. Patent Application Serial Number 09/852,028
Attorney Docket Number P11067

the rejection of claims 10 and 18 is maintained in a subsequent Office Action, the Applicants respectfully request that the Examiner clearly and explicitly state that it is the case that these claims would be allowable, or provide some rationale for the rejection of claims 10 and 18 other than merely that "the claim is depended upon a rejected claim".

For at least all of the above reasons, the Applicant respectfully requests that the rejection under 35 U.S.C. § 103(a) be withdrawn. Allowance of this application is earnestly solicited. The Applicant respectfully submits that this application is now in condition for allowance.

In view of the foregoing, the application is considered to be in condition for allowance. Early notification of the same is earnestly solicited. If there are any questions regarding the present application, the Examiner is invited to contact the undersigned attorney via telephone at 815-885-2389 or via email at rob@intel.com.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert D. Anderson', written over a horizontal line.

Robert D. Anderson
Reg. No. 33,826

February 8, 2006
Date

Intel Americas, Inc.